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Attorneys for Defendant
APPLE COMPUTER, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO

MARTIN VOGEL and KENNETH
MAHONEY, On Behalf Of Themselves
and All Others Similarly Situated,

Plaintiffs,

v.

STEVEN P. JOBS, PETER
OPPENHEIMER, FRED ANDERSON,
WILLIAM V. CAMPBELL,
MILLARD S. DREXLER, ALBERT
GORE, JR., ARTHUR D. LEVINSON,
JEROME P. YORK and APPLE
COMPUTER, INC.,

Defendants.

Case No. C 06 05208 MHP

STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME FOR
DEFENDANTS TO RESPOND TO
COMPLAINT

Complaint Filed: August 24, 2006
Jury Trial Demanded

Pursuant to Civil L.R. 6-1, the parties stipulate, and the Court hereby orders, as follows:

1. Defendants are not required to respond to the complaint in this action or any action consolidated into this action, other than a consolidated complaint or a complaint designated as the operative complaint by Lead Plaintiff's Counsel.
2. Defendants shall respond to the consolidated complaint within forty-five (45) days after service (or, in the event that Lead Plaintiff's Counsel designates an existing complaint as the operative complaint, within forty-five (45) days after service of written notice of such designation), unless otherwise agreed upon by the parties or ordered by the Court.

STULL, STULL & BRODY

Dated: October 26, 2006

By: /s/ Patrice L. Bishop
Patrice L. Bishop

Attorneys for Plaintiffs
Martin Vogel and Kenneth Mahoney, On
Behalf Of Themselves and All Others
Similarly Situated

O'MELVENY & MYERS LLP

Dated: October 26, 2006

By: /s/ David M. Furbush
David M. Furbush

Attorneys for Defendant
Apple Computer, Inc.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: October , 2006

Hon. Marilyn Hall Patel
United States District Judge